



DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. IMECP018

I, [Name] named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ALL-METAL THREE-DIMENSIONAL CIRCUITS AND MEMORIES, the specification of which,

- (check one)
- 1. ☐ is attached hereto.
 - 2. ☒ was filed on December 8, 2003 as
U.S. Application No. 10/731,732
and was amended on _____.
 - 3. ☐ was filed on _____ as
International PCT Application Serial No. _____
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, CFR §1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| | | | Priority Benefits Claimed? |
|-------------|-----------|------------------------------|--|
| (Appl. No.) | (Country) | (Date Filed- Day/Month/Year) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | |
| (Appl. No.) | (Country) | (Date Filed- Day/Month/Year) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | |

Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

| | |
|-------------------|--------------------------|
| <u>60/436,103</u> | <u>December 20, 2002</u> |
| (Application No.) | (Filing Date) |
| _____ | _____ |
| (Application No.) | (Filing Date) |

Prior U.S. Application(s)

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| (Application No.) | (Filing Date) | (Status - patented, pending, abandoned) |
|-------------------|---------------|---|
| _____ | _____ | _____ |
| (Application No.) | (Filing Date) | (Status - patented, pending, abandoned) |
| _____ | _____ | _____ |

Send Correspondence To:

Customer Number: 022434

022434

Direct Telephone Calls To:

Joseph M. Villeneuve at telephone number (510) 843-6200

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Radu Andrei

Citizenship: German

Inventor's signature: 

Date of Signature: 4/2/2004

Residence: (City) Monterey

(State/Country) California/U.S.

Post Office Address: P.O. Box 2346, Monterey, California 93942

Full Name of Second Joint
Inventor (if any):

Richard Spitzer

Citizenship: U.S.

Inventor's signature: _____

Date of Signature: _____

Residence: (City) Berkeley

(State/Country) California/U.S.

Post Office Address: 1214 Oxford Street, Berkeley, California 94709

Full Name of Third Joint
Inventor (if any):

E. James Torok

Citizenship: U.S.

Inventor's signature: _____

Date of Signature: _____

Residence: (City) Shoreview

(State/Country) MN/U.S.

Post Office Address: 860 County Road IW, Shoreview, Minnesota 55126



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| ___ Yes | ___ No |
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Sole or First Inventor: Radu Andrei

Citizenship: German

Inventor's signature: _____

Date of Signature: _____

Residence: (City) Monterey

(State/Country) California/U.S.

Post Office Address: P.O. Box 2346, Monterey, California 93942

Full Name of Second Joint
Inventor (if any):

Richard Spitzer

Citizenship: U.S.

Inventor's signature: Richard Spitzer

Date of Signature: 13 May 04

Residence: (City) Berkeley

(State/Country) California/U.S.

Post Office Address: 1214 Oxford Street, Berkeley, California 94709

Full Name of Third Joint
Inventor (if any):

E. James Torok

Citizenship: U.S.

Inventor's signature: _____

Date of Signature: _____

Residence: (City) Shoreview

(State/Country) MN/U.S.

Post Office Address: 860 County Road IW, Shoreview, Minnesota 55126



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| | | | Yes No |
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| _____ (Appl. No.) | _____ (Country) | _____ (Date Filed- Day/Month/Year) | Yes No |

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Typewritten Full Name of

Sole or First Inventor: Radu Andrei

Citizenship: German

Inventor's signature: _____

Date of Signature: _____

Residence: (City) Monterey

(State/Country) California/U.S.

Post Office Address: P.O. Box 2346, Monterey, California 93942

Full Name of Second Joint

Inventor (if any): Richard Spitzer

Citizenship: U.S.

Inventor's signature: _____

Date of Signature: _____

Residence: (City) Berkeley

(State/Country) California/U.S.

Post Office Address: 1214 Oxford Street, Berkeley, California 94709

Full Name of Third Joint

Inventor (if any): E. James Torok

Citizenship: U.S.

Inventor's signature: E James Torok

Date of Signature: 5/25/04

Residence: (City) Shoreview

(State/Country) MN/U.S.

Post Office Address: 860 County Road IW, Shoreview, Minnesota 55126



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Andrei et al.

Attorney Docket No.: IMECP018

Application No.: 10/731,732

Examiner: Not yet assigned

Filed: Herewith

Group:

Title: ALL-METAL THREE-DIMENSIONAL
CIRCUITS AND MEMORIES

**POWER OF ATTORNEY BY ASSIGNEE, 37 CFR §3.73 STATEMENT, AND EXCLUSION
OF INVENTOR UNDER 37 CFR §3.71**

Commissioner for Patents
Alexandria, VA 22313

Sir:

Integrated Magnetoelectronics Corporation is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

☐ at Reel ___, Frame(s) ___

☐ on _____

☒ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints the law firm of Beyer Weaver & Thomas, LLP and all practitioners who are associated with the **Customer Number 022434** as principal attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

Customer Number 022434

BEYER WEAVER & THOMAS, LLP

P.O. Box 778

Berkeley, CA 94704-0778

Please direct any calls to **Joseph M. Villeneuve** (510) 843-6200.

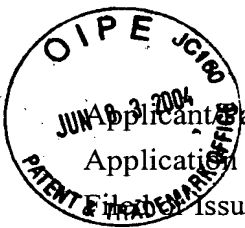
Further, pursuant to 37 C.F.R. §3.71, the assignee hereby states that prosecution of the above-referenced patent application is to be conducted to the exclusion of the inventor(s).

Assignee of Interest:

Integrated Magneto-electronics Corporation
1214 Oxford Street, Berkeley CA 94709

Date 13 May 04

Richard Spitzer
Name: Dr. Richard Spitzer
Title: President and CEO



Applicant/Patentee: Integrated Magnetolectronics Corporation

Application or Patent No. 10/731,732

Atty Docket # IMECP018

Filed/Issued: December 8, 2003

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) and 1.27(c)--SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: Integrated Magnetolectronics Corporation

ADDRESS: 1214 Oxford Street, Berkeley, California 94709

I, hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under 41(a) and (b) of Title 35, U.S. Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: ALL-METAL THREE-DIMENSIONAL CIRCUITS AND MEMORIES, by inventor(s) Radu Andrei, Richard Spitzer, and E. James Torok, described in

☒ the specification filed herewith.

☐ Application No. _____ filed _____

☐ patent # _____ issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).
*Note: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____

Address: _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Dr. Richard Spitzer

TITLE IN ORGANIZATION: President and CEO

SIGNATURE Richard Spitzer DATE 13 May 04